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SUBJECT: BULGARIA'S OCTOBER 28 LOCAL ELECTIONS: RULES AND PROCEDURES

11. (U) SUMMARY: Bulgaria will hold elections on October 28 for mayors and municipal counselors in 264 municipalities for a four-year term in office. Mayors are elected individually. Where no mayoral candidate has won more than 50 percent of the votes cast in the first round, there will be a run-off on November 2 between the two front-runners. Municipal counselors are elected through a system of proportional representation under which parties and coalitions put up lists of candidates in each municipality. The elections will be preceded by a month-long campaign beginning on September 27. Preliminary results are announced by the municipal electoral commission, usually within several hours of the 7 p.m. poll closing. This is the fifth municipal election since communism collapsed in 1989 and Bulgaria's first local election in which foreign EU nationals are also eligible to vote. END SUMMARY

#### Municipalities

12. (U) Municipal elections are ordinarily not a true barometer of national politics and party strength: local factors and personalities weigh heavily for voters. Several parties are likely to claim "victory" after results are in based on self-interest. A companion cable in October will address issues and politics. Bulgaria's centralized government system until recently gave little power to local administrations. This changed with the 2006 constitutional amendments, which boosted fiscal decentralization and allowed the municipalities to set local taxes and fees. The role of the local governments is set to increase further as the municipalities are primary beneficiaries of hundreds of millions of euros of EU aid for infrastructure upgrade and structural reform projects. A total of 88 parties are running in this year's local elections, compared to 146 parties in 2003. PM Stanishev's Socialist Party (BSP), which has a solid base at the local level, is facing a strong challenge by the new populist party (GERB) of Sofia Mayor Boiko Borissov. Traditional center-right parties look to bounce back after lackluster showings in elections for the European Parliament. Pundits are focusing on a GERB-BSP horse-race.

13. (U) Mayors are elected individually through a majority vote. The names of all candidates for the given municipality are written on one ballot together with the name of the party or coalition on whose ticket they run, or with the name of the initiative committee backing the independent candidates. Voters check the candidate of their choice. To strengthen further local government, this year Bulgaria introduced the direct election of district mayors (responsible for a given district within the city, report to the mayor) of the three biggest cities - Sofia (24 districts), Plovdiv (6) and Varna (5). Previously, district mayors were elected by the municipal councils. Voters cast separate ballots for municipal and district mayors. Where no mayoral candidate wins more than 50 percent of the valid votes cast in the first round, a run-off will be held November 2 between the two front-runners. The winner in the run-off is determined by a simple majority.

14. (U) Municipal counselors are elected through a system of proportional representation, under which parties and coalitions put

up rank-ordered lists of candidates in each municipality. Voters cannot change the candidates' order or add or delete names on the party lists. Thus, people cast their vote for the party rather than the individual. Seats in each municipal council are allocated to the parties and coalitions in the same ratio as the distribution of the vote between the different parties and coalitions in the given municipality. The number of municipal counselors in each municipality varies depending on its population, the minimum is 11. The largest municipal council, in the capital Sofia, consists of 61 counselors.

#### Central Electoral Commission

15. (U) The Central Electoral Commission (CEC), whose 25 members are nominated by the parliamentary parties, organizes and supervises the elections. Seats in the CEC are distributed among parties pro rata to their representation in parliament. The election in each municipality is organized by municipal electoral commissions which have between 11 and 17 members, nominated by the parliamentary parties and formed according to the same principle. Parties first register with the CEC, and then separately with the municipal electoral commissions to get on the local ballots. This dual registration is required because of Bulgarian political parties' practice to form different coalitions in different municipalities for the local elections. For example, parties which back one and the same mayoral candidate or run on a joint ticket for municipal counselors in one municipality could be rivals in another.

16. (U) The election is preceded by a month-long campaign starting on September 27. Campaigning is forbidden the day before election day and on election day. Incumbent mayors and state administration employees who contest the election take a leave of absence for the campaign. This does not apply, however, to the incumbent municipal

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counselors who continue to attend the municipal council's sessions even if they are running for re-election. The incumbent municipal councils operate on a lame-duck basis until their successors are sworn in following the vote.

#### Who Can Vote

17. (SBU) Official data show there are 6.96 million eligible voters in Bulgaria (CEC officials acknowledge this figure needs to be updated to remove names of voters who have moved or passed away. The true figure is probably about one million less.). Voting age is

18. For the 2007 local election, Bulgaria introduced an additional requirement which triggered heated debates in parliament. It requires Bulgarians and other EU citizens to have resided in the given municipality for at least 10 months prior election date to be eligible to vote. The move is clearly aimed at the ethnic Turkish Movement for Rights and Freedoms (MRF), a junior coalition partner in the Socialist-led government. It seeks to curb a Bulgarian post-communist electoral practice known as "electoral tourism" in which MRF buses dual citizens from Turkey to vote for the MRF in areas with predominantly ethnic Turkish population. The legislative amendment may fail to achieve its intended result as the law does not give a clear definition of "resident" and most dual citizens (including likely MRF voters) have Bulgarian identity documents with Bulgarian permanent addresses that will enable them to vote.

#### Election Day and Publishing Results

18. (U) There will be 11,428 polling stations across the country, with 1,411 in Sofia alone. Polling stations open at 6 a.m. and close at 7 p.m. Exit polls are allowed but results cannot be announced before polling stations close. Preliminary results are announced by the municipal electoral commission usually within several hours of the polls' closing. Municipal electoral commissions announce the final results for each municipality within 72 hours after the end of the vote.

19. (SBU) The CEC does not publish consolidated nationwide election

results for political parties because they could form different coalitions in different municipalities. Many mayoral candidates are backed by multi-party coalitions, or party candidates run as independents to gain broader support. Thus, there are no unified criteria to measure political parties' performance in the local vote. The parties will choose criteria that portray results in the most favorable light: the number of successful mayoral seats in the 264 municipalities; the number of counselors elected under the proportional representation system; or the number of mayors in the country's 27 regional centers. In past post-communist local elections, rival parties claimed victory quoting these different criteria. The local vote is thus often characterized as the "election with many winners" as front-running parties use the complex election mechanics to interpret the results. In this year's vote, this may favor both the ruling Socialists who may retain their dominance in small municipalities, and Sofia Mayor Borissov's party which stands a good chance in the bigger cities, including Sofia.

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